



SAN LUIS OBISPO COUNTY

## DEPARTMENT OF PLANNING AND BUILDING

February 17, 2015

Las Pilitas Resources LLC.  
PO Box 875  
Santa Margarita, CA 93453

**SUBJECT: APPEAL OF LAS PILITAS RESOURCES, LLC.**  
**COUNTY FILE NUMBER: DRC2009-00025**  
**HEARING DATE: FEBRUARY 5, 2015\_PLANNING COMMISSION**

We have received your request on the above referenced matter. In accordance with County Real Property Division Ordinance Section 21.04.020, Land Use Ordinance Section 22.70.050, and the County Coastal Zone Land Use Ordinance 23.01.043, the matter will be scheduled for public hearing before the Board of Supervisors. A copy of the appeal is attached.

The public hearing will be held in the Board of Supervisors' Chambers, County Government Center, San Luis Obispo. As soon as we get a firm hearing date and the public notice goes out you will receive a copy of the notice.

Please feel free to telephone me at 781-5718 if you have any questions.

Sincerely,

Nicole Retana, Secretary  
County Planning Department

CC: Rob Fitzroy, Project Manager  
Steve McMasters, Supervisor  
Whitney McDonald, County Counsel

#893



# INLAND APPEAL FORM

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

Promoting the Wise Use of Land • Helping to Build Great Communities

Please Note: An appeal should be filed by an aggrieved person or the applicant at each stage in the process if they are still unsatisfied by the last action.

## PROJECT INFORMATION

Name: Las Pilitas Resources, LLC File Number: DEC 2009-00025

### Type of permit being appealed:

- ☐ Plot Plan ☐ Site Plan ☐ Minor Use Permit ☒ Development Plan/Conditional Use Permit  
☐ Variance ☐ Land Division ☐ Lot Line Adjustment ☒ Other: Reclamation Plan

### The decision was made by:

- ☐ Planning Director (Staff) ☐ Building Official ☐ Planning Department Hearing Officer  
☐ Subdivision Review Board ☒ Planning Commission ☐ Other \_\_\_\_\_

Date the application was acted on: February 5, 2015

### The decision is appealed to:

- ☐ Board of Construction Appeals ☐ Board of Handicapped Access  
☐ Planning Commission ☒ Board of Supervisors

## BASIS FOR APPEAL

State the basis of the appeal. Clearly state the reasons for the appeal. In the case of a Construction Code Appeal, note specific code name and sections disputed). (Attach additional sheets if necessary)

Please see attached statement.

List any conditions that are being appealed and give reasons why you think it should be modified or removed.

Condition Number \_\_\_\_\_ Reason for appeal (attach additional sheets if necessary)

## APPELLANT INFORMATION

Print name: Las Pilitas Resources, LLC

Address: P.O. Box 875, Santa Margarita, CA 93453

Phone Number (daytime): (805) 610-7186

We have completed this form accurately and declare all statements made here are true.

Signature

Date

2-17-15

## OFFICE USE ONLY

Date Received: 2/17/15

By: [Signature]

Amount Paid: \$850.00

Receipt No. (if applicable): \_\_\_\_\_

INLAND APPEAL FORM  
SAN LUIS OBISPO COUNTY PLANNING & BUILDING  
SLOPLANNING.ORG

PAGE 2 OF 2  
JULY 1, 2010  
PLANNING@CO.SLO.CA.US

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SLO COUNTY  
PLANNING/BUILDING  
DEPT

**Attachment to Inland Appeal Form  
Las Pilitas Resources, LLC; DRC2009-00025  
Basis For Appeal**

The Denial Findings adopted by the Planning Commission are not supported by substantial evidence, and in fact are contradicted in many cases by the evidence in the record. Many of the findings amount to unsubstantiated conjecture, and are based on inaccuracies and misunderstandings about the project that were presented by Staff and others. In addition, the Planning Commission erred by not considering the importance of this aggregate resource to the region as a whole as required by state law, as well as other considerations that are specific to mineral resources and which alter the traditional CUP findings for projects such as this.

Further details regarding each of these points will be submitted directly to the Supervisors for their consideration in the course of this appeal.